

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TERRELL LOVE,

No. C 05-3995 JSW

Petitioner,

v.

**ORDER VACATING HEARING
ON MOTION TO DISMISS**

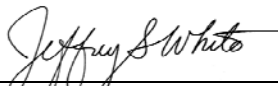
JAMES A. YATES, Warden,

Respondent.

Defendant's motion to dismiss the habeas corpus petition as untimely is currently set for hearing on Friday, April 28, 2006 at 9:00 a.m. This matter is now fully briefed and ripe for decision. The Court finds that this matter is appropriate for disposition without oral argument and the matter is deemed submitted. *See* N.D. Civ. L.R. 7-1(b). Accordingly, the hearing set for April 28, 2006 is VACATED. An order resolving the motion shall follow.

IT IS SO ORDERED.

Dated: April 18, 2006



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE